IN THE UNITED STATES PATENT AND TRADEMARK OFFICE In re Application of: David WALLACH et al Art Unit: 1646 Examiner: D. ROMEO Serial No 08/981.559 Washington, D.C. Filed April 13, 1998 Atty 's Docket: WALLACH=20 For THE MODULATION Date: March 10, 2000 THE COMMISSIONER OF PATENTS AND TRADEMAR Washington, D.C 20231 Sir: Transmitted herewith is an [X] AMENDMENT in the above-identified application [] Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted] A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed. 1 No additional fee is required. The fee has been calculated as shown below: SMALL ENTITY (Col. 1) (Col. 2) (Col. 3) OTHER THAN A SMALL ENTITY HIGHEST PRESENT CLAIMS ADDITIONAL RATE RATE REMAINING FEE OR PREVIOUSLY AFTFR PAID FOR **AMENDMENT** \$ \$ 36 00 TOTAL + 35 MINUS ** 33 2 X 18 X 78 INDEP . 7 MINUS *** 8 0 x 39 \$ \$ S \$ +130 + 260 FIRST PRESENTATION OF MULTIPLE DEP. CLAIM OR TOTAL \$ 36.00 Total \$ Additional fee If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3 If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space. If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col

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ADDITIONAL

FEE

[XX] Conditional Petition for Extension of Time

prior amendment of the number of claims originally filed.

If any extension of time for a response is required applicant requests that this be considered a petition therefor

[XX] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is

calculated as shown below: Small Entity

Response Filed Within

- \$ 55.00 1 First

Second - \$190.00 1 Third - \$435.00

] Fourth - \$680.00 Month After Time Period Set

Other than small entity Response Filed Within

[] First - \$ 110.00

] Second - \$ 380.00 - \$ 870.00 [XX] Third

- \$1360.00 1 Fourth Month After Time Period Set

[] Less fees (\$ ____) already paid for ___ ___ month(s) extension of time on A duplicate copy of this sheet is attached

[] Please charge my Deposit Account No. 02-4035 in the amount of \$ [XX] A check in the amount of \$906.00 Is attached (Check No. 25172)

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR Section 1 16 and all patent processing fees under 37 CFR Section 1 17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR Section 1.18

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